IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 748 OF 2005

Opera Clothing & Anr. .. Petitioners

V/s

Union of India & Ors. .. Respondents

Mr.Shailesh Shah i/b Mr.N.J. Devashrayee for the Petitioners.

Mr.Suraj Shah for Respondent No.1.

Mr.R.C. Dalal for Respondents Nos.2 and 3.

CORAM : H.L. GOKHALE &
S.C. DHARMADHIKARI, JJ.

DATE : 4TH APRIL 2005

P.C. :

1. Heard the learned counsel for the parties.

2. The claim in this petition is essentially a money claim. The proper remedy for the Petitioners is to file a suit. Mr.Shailesh Shah seeks to withdraw this petition with liberty to file appropriate proceedings. Petition allowed to be withdrawn with liberty.

3. Prayer (b) of this petition is about the post-dated cheques of the Petitioners lying with Respondents Nos.2 and 3. Mr.Dalal states that those

cheques will be returned to the Petitioners within one week without being encashed.

(H.L. GOKHALE, J.)

(S.C. DHARMADHIKARI, J.)